

MINUTES
BOARD OF ADJUSTMENT
PUBLIC HEARING
September 8, 2016

The Lake County Board of Adjustment met on September 8, 2016 in the Commission Chambers on the second floor of the County Administration Building in Tavares, Florida to consider requests for variances and any other petitions that may be submitted in accordance with Chapter XIV of the Lake County Land Development Regulations.

Board Members Present:

Donald Schreiner, Chairman
Craig Covington, Vice-Chairman
Catherine Hanson
Phyllis Luck
Lloyd M. Atkins, Jr.

Board Members Absent:

Mason Gathye
Marie Wuenschel

Staff Present:

Rick Hartenstein, Senior Planner, Planning & Zoning Division
Luis Guzman, Assistant County Attorney
Janie Barron, Associate Planner, Planning & Zoning Division
Donna Bohrer, Public Hearing Associate, Planning & Zoning Division

Chairman Schreiner called the meeting to order at 1:00 p.m., in order to have a quorum present. He confirmed Proof of Publication for the case as shown on the screen. He added that if a variance is approved, the owner/applicant should give staff at least 24 hours before proceeding to the zoning counter to finalize their paperwork.

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OWNER/ APPLICANT

AGENDA NO.

Consideration of Minutes

August 11, 2016

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Regular Agenda

Closing Remarks

Adjournment

Opening Remarks

Rick Hartenstein, Senior Planner, Planning and Zoning Division, said there were no changes to the agenda and that staff had not received any comments from the public regarding today's agenda.

Minutes

MOTION by Craig Covington, SECONDED by Catherine Hanson to APPROVE the August 11, 2016 Board of Adjustment Public Hearing Minutes, as submitted.

FOR: Schreiner, Covington, Hanson, Luck, Atkins

ABSENT: Wuenschel, Gathye

AGAINST: None

MOTION CARRIED: 5-0

There was no response when Chairman Schreiner asked for any public comment.

Public Comment

Chairman Schreiner asked if there was anyone in the public that wanted to comment on any agenda item.

Consent Agenda

Catherine Hanson said she would be abstaining from voting on VAR-16-28-3 because she serves on the board of directors for the United Southern Bank.

Motion by Catherine Hanson, SECONDED by Craig Covington, to approve VAR-16-33-5, VAR-16-34-1 and VAR-16-35-5 from the consent agenda, with conditions as set forth in the development orders.

FOR: Schreiner, Covington, Hanson, Luck, Atkins

ABSENT: Wuenschel, Gathye

AGAINST: None

MOTION CARRIED: 5-0

Motion by Craig Covington, SECONDED by Phyllis Luck, to approve VAR-16-28-3 from the consent agenda, with conditions as set forth in the development order.

FOR: Schreiner, Covington, Luck, Atkins

ABSENT: Wuenschel, Gathye

ABSTAINING: Hanson

AGAINST: None

MOTION CARRIED: 4-0

Mr. Hartenstein announced that he was retiring the beginning of November. He said that he had enjoyed working with the board over the years very much. Chairman Schreiner said the board appreciated all of Mr. Hartenstein's service and wished him well in his future endeavors.

Adjournment

There being no further business, the meeting was adjourned at 1:05 p.m.

Respectfully submitted,



Donna Bohrer
Public Hearing Associate



Donald Schreiner
Chairman

Orlando Sentinel

Published Daily
ORANGE County, Florida

STATE OF FLORIDA

COUNTY OF LAKE


Before the undersigned authority personally appeared Maria Torres / Ingrid Quiles, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11150-Public Hearing Notice, **Thursday, September 8, 2016 at 1:00 p.m.** was published in said newspaper in the issues of Aug 26, 2016.

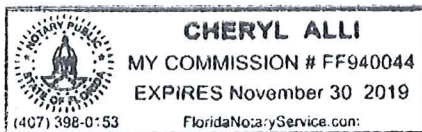
Affiant further says that the said ORLANDO SENTINEL is a newspaper published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


Signature of Affiant

Ingrid Quiles
Printed Name of Affiant

Sworn to and subscribed before me on this 26 day of August, 2016,
by above Affiant, who is personally known to me (X) or who has produced
identification ().


Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

LEGAL NOTICE NOTICE OF QUASI-JUDICIAL

The Lake County Board of Adjustment will hold a public hearing at 1:00 p.m., on Thursday, September 8, 2016 in the County Commission Chambers, Second Floor, County Administration Building, 315 West Main Street, Tavares, Florida, to consider variance requests and any other petitions which may be submitted in accordance with Section 14.15.00 of the Lake County Land Development Regulations, as amended.

All interested citizens are welcome to attend. Please call our office (352-343-9641) three days prior to the meeting to ensure the case has not been postponed. Persons with disabilities needing assistance to participate in any of these proceedings should contact (352) 343-9760, 48 hours in advance of the scheduled meeting.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the Board they will need a record of the proceedings and they may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based. All oral

and written communications between Board members and the public concerning a case are prohibited by the Florida Law unless made at the public hearing on the case.

CASE NO.: VAR-16-33-5
OWNER/APPLICANT: Advantage A/C
REQUESTED ACTION: A variance to Land Development Regulation (LDR) Section 10.01.01.A and LDR Table 3.02.05, to allow an accessory structure on a lot without a residence to be located less than sixty-two (62) feet from the centerline of the road.
GENERAL LOCATION: Eustis area, 39040 Forest Drive

AND
CASE NO.: VAR-16-34-1
OWNER/APPLICANT: Dylan and Susan Osborn
REQUESTED ACTION: Variance from Land Development Regulation (LDR) Section 10.01.01(F) to allow a detached garage to be located at 5 feet from the property line and to be located in the front in lieu of the side and rear.
GENERAL LOCATION: Groveland area, 8950 Cherry Lake Road

AND
CASE NO.: VAR-16-35-5
OWNER/APPLICANT: Shannan Butner
REQUESTED ACTION: Variance from Land Development Regulation (LDR) Section 3.01.04.1.a, to allow a livestock building to be located thirty-five (35) and sixty (60) feet from the property lines in lieu of two hundred feet (200) feet from all property lines.
GENERAL LOCATION: Altoona area, 18503 Ravenswood Road

AND
CASE NO.: VAR-16-28-3
OWNER/APPLICANT: United Southern Bank
REQUESTED ACTION: Variance from Land Development Regulation (LDR) Section 3.02.05 in order to obtain a setback of thirty (30) feet from Hickory Hollow Road in lieu of a setback of fifty (50) feet from Hickory Hollow Road for the construction of a new United Southern Bank building.
GENERAL LOCATION: Leesburg area, 10021 CR 44

LAKE COUNTY DEPARTMENT OF
ECONOMIC GROWTH
DIVISION OF PLANNING & ZONING
315 WEST MAIN STREET
TAVARES, FLORIDA 32778
(352) 343-9641

LAK4405649

8/26/16

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>HANSON CATHERINE CAMMACK</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>BOARD OF ADJUSTMENT</i>	
MAILING ADDRESS <i>27603 State Road 46</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Sorrento</i>	COUNTY <i>Lake</i>	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>9/8/2016</i>		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Catherine Hanson, hereby disclose that on Sept. 8, 2016, 20__ :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☒ inured to the special gain or loss of my business associate, United Southern Bank ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I served on the Bank's Board of Directors

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

September 8, 2016
Date Filed

Catherine C. Hanson
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.